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**FAX**

To: Examiner Paul Roberts

From: Brian Schar

Fax: (703) 746-8876

Total Pages: 19

Phone: /

Date: March 11, 2004

Re: Serial No. 10/054,745 (Dkt No. 057) CC:

Examiner Roberts:

Thank you for your telephone call earlier today.

As we discussed, I have attached a copy of the Information Disclosure Statement and Form PTO-1449 that were submitted on May 8, 2002. The cover sheet was stamped with that date by the OIPE.

With regard to the claims, in our conversation as between claims 2 and 3, I selected claim 3; as between claims 6 and 7, I selected claim 6, and as between claims 18 and 19, I selected claim 19.

Please call me if you have any questions. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to be 'B. Schar', written over a horizontal line.

Brian Schar, Reg. No. 45,076  
(650) 331-7162

May 1, 2002

Tom Hamill  
National Patent Services  
2101 Crystal Plaza Arcade, Suite 308  
Arlington, Virginia 22207

Re: Applicant(s): Donohoe, Brendan M.; et. al.  
Assignee: Cardica, Inc.  
Title: Method and Apparatus for Creating an Opening in the Wall of a  
Tubular Vessel  
Serial No.: 10/054,745  
Examiner: Not yet assigned  
Docket No.: 057

Filed: January 22, 2002  
Group Art Unit: 3731

Dear Tom:

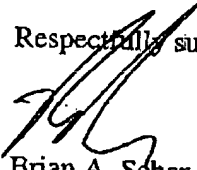
Enclosed are the following documents:

- (1) This letter;
- (2) A Transmittal Letter;
- (3) Information Disclosure Statement Under 37 CFR 1.97(b);
- (4) PTO-1449 (13 pages);
- (5) Return receipt.

Two boxes of references are being transmitted to you via FedEx Ground and hopefully will reach you in a week or so. I will email you the tracking information for these boxes. When you receive them, please hand-deliver them along with the papers in this envelope to the Patent Office. You quoted me a price of \$75 for this service, which will definitely allow me to save some money as compared to Express Mailing these boxes directly to the Patent Office.

Please call me if you have any questions. Thank you.

Respectfully submitted,

  
Brian A. Schar  
Reg. No. 45,076  
Chief Patent Counsel  
Cardica, Inc.  
171 Jefferson Drive  
Menlo Park, CA 94025

May 1, 2002

Commissioner For Patents  
Washington, D.C. 20231

Re: Applicant(s): Donohoe, Brendan M.; et. al.  
Assignee: Cardica, Inc.  
Title: Method and Apparatus for Creating an Opening in the Wall of a  
Tubular Vessel  
Serial No.: 10/054,745  
Examiner: Not yet assigned  
Docket No.: 057

Filed: January 22, 2002  
Group Art Unit: 3731

Dear Sir:

Transmitted herewith are the following documents in the above-identified application:

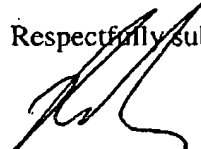
- (1) This Transmittal Letter;
- (2) Information Disclosure Statement Under 37 CFR 1.97(b);
- (3) PTO-1449 (13 pages);
- (4) Two boxes of references cited in PTO-1449, labeled  
CARDICA Serial No. 10/054,745 Box 1 of 2,  
CARDICA Serial No. 10/054,745 Box 2 of 2; and
- (5) Return receipt.

If an extension of time is required for timely filing of the enclosed documents, an extension of time is hereby requested.

Please charge Deposit Account 502108 for any fees required, and credit deposit account 502108 any amounts overpaid.

**VIA HAND DELIVERY**

Respectfully submitted,



Brian A. Schar  
Reg. No. 45,076  
Chief Patent Counsel  
Cardica, Inc.  
171 Jefferson Drive  
Menlo Park, CA 94025

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Donohoe, Brendan M.; et. al.  
Assignee: Cardica, Inc.  
Title: Method and Apparatus for Creating an Opening in the Wall of a Tubular Vessel  
Serial No.: 10/054,745 Filing Date: January 22, 2002  
Examiner: Not yet assigned Group Art Unit: 3731  
Docket No.: 057

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97(b)**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In compliance with the Applicant's duty under 37 CFR § 1.56, the following information is brought to the attention of the Examiner in conjunction with the CPA filed herewith. The items are listed on the attached form PTO-1449. Copies of the references listed on the attached form PTO-1449 are included.

Copies of cumulative patents listed on the attached form PTO-1449 have not been provided, pursuant to MPEP 609(III)(A)(2). These cumulative patents are continuations or divisionals of U.S. patents provided herewith. These cumulative patents are listed below, along with their relationship to U.S. patents provided with this Information Disclosure Statement.

4,917,090 Berggren et. al.	Child of 4,624,257
4,917,091 Berggren et. al.	Child of 4,624,257
5,275,322 Brinkerhoff et. al.	Child of 5,205,459
5,285,945 Brinkerhoff et. al.	Child of 5,205,459
5,314,468 Martinez	Child of 5,178,634
5,366,462 Kaster et. al.	Child of 5,234,447
5,392,979 Green et. al.	Child of 5,119,983
5,533,661 Main et. al.	Child of 5,333,773
5,571,167 Maginot	Child of 5,304,220

Patent  
Dkt. No. 057

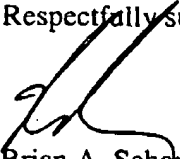
5,815,640 Wang et. al.	Child of 5,524,180
5,841,950 Wang et. al.	Child of 5,524,180
5,878,193 Wang et. al.	Child of 5,524,180
5,904,697 Gifford III et. al.	Child of 5,695,504
5,907,664 Wang et. al.	Child of 5,524,180
5,911,036 Wright et. al.	Child of 5,825,982
5,921,995 Kleshinski	Child of 5,755,778
5,947,363 Bolduc et. al.	Child of 5,732,872
5,957,363 Heck	Child of 5,709,335
5,989,278 Mueller	Child of 5,871,495
6,053,390 Green et. al.	Child of 5,344,059
6,167,889 Benetti	Child of 5,888,247
6,171,319 Nobles et. al.	Child of 5,944,730
6,171,321 Gifford III et. al.	Child of 5,695,504
6,176,413 Heck et. al.	Child of 5,881,943
6,183,486 Snow et. al.	Child of 5,797,933
6,190,397 Spence et. al.	Child of 5,868,763
6,206,912 Goldsteen et. al.	Child of 5,976,178
6,241,742 Spence et. al.	Child of 5,868,763
2001/0001122 Gifford III et. al.	Child of 5,695,504
2001/0001124 Mueller	Child of 5,871,495
2001/0047179 Gifford III et. al.	Child of 5,695,504

German-language references DE 19732234 and DE 4041262 are cited in the attached PTO-1449. A copy of an English-language abstract is attached to each German-language reference in order to concisely explain its relevance, under MPEP 609 and 37 CFR 1.98(a)(3)(i).

Patent  
Dkt. No. 057

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), and thus no petition or fee is required.

Respectfully submitted,



Brian A. Schar  
Attorney for Applicant(s)  
Reg. No. 45,076  
Cardica, Inc.  
171 Jefferson Drive  
Menlo Park, CA 94025